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January 25, 2010

Corbin R. Davis, Clerk  
Michigan Supreme Court  
Post Office Box 30052  
Lansing, Michigan 48909

Re: ADM File 2009-26

Dear Mr. Davis:

On behalf of the Council of the Probate & Estate Planning Section of the State Bar of Michigan ("Council") and its membership, I am writing in support of ADM File 2009-26. Council's position is not necessarily that of the State Bar of Michigan. See attached disclosure.

The rules proposed in ADM File 2009-26 were drafted by Council and the Michigan Probate Judges Association ("MPJA") after enactment of the Michigan Trust Code ("MTC"). The proposed rules suggest conforming changes to Chapter 5 of the MCRs to provide consistency with the language and procedures found in the MTC.

The MTC will be effective on April 1, 2010. I urge the Court, on behalf of the bench and bar, to give effect to these new Court rules on April 1, 2010 so that the procedural rules will be in place in time for the effective date of the new substantive rules found in the Michigan Trust Code.

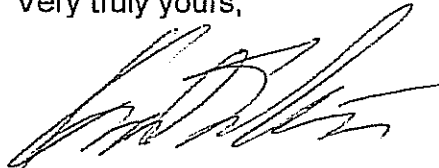
I would like to publicly express my appreciation for the cooperation and dedication of the MPJA in this joint effort. In particular, I'd like to thank the Hon. David M. Murkowski, Chair of the Estates and

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Trusts Committee of the Michigan Probate Judges Association,  
and Marlaine C. Teahan, Chair of Council's Rules & Forms  
Committee, for their hard work in seeing this project through.

Very truly yours,



Harold Schuitmaker, Chair  
Probate & Estate Planning Section  
Michigan State Bar

HS:acv

cc: Chief Justice Marilyn J. Kelly  
Justice Michael F. Cavanagh  
Justice Maura D. Corrigan  
Justice Diane M. Hathaway  
Justice Stephen J. Markman  
Justice Elizabeth A. Weaver  
Justice Robert P. Young, Jr.  
Hon. David M. Murkowski  
Hon. Susan L. Dobrich  
Marlaine C. Teahan, Esq

PROBATE & ESTATE PLANNING SECTION

Respectfully submits the following position on:

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Admin File 2009-26

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The Probate & Estate Planning Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Probate & Estate Planning Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Probate & Estate Planning Section is 4,128.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 23. The number who voted in favor to this position was 20. The number who voted opposed to this position was 0.